IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 1ST AUGUST 2007 / 10TH SRAVANA 1929

WP(C).No. 23446 of 2007(N)

PETITIONER:

JAYAKUMARAN NAIR, PROPRIETOR,
M/S.VIMAL RELEASE (VIMAL PUBLICITY),
T.C.25/901, THAMPANOOR, THIRUVANANTHAPURAM.

BY ADV. SRI.T.C.SURESH MENON
SRI.JIBU P THOMAS

RESPONDENTS:

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1. THE REGISTRAR OF SOCIETIES,
THIRUVANANTHAPURAM.

2. TRIVANDRUM FILM DISTRIBUTORS ASSOCIATION
REG.NO.213/82, T.C.25/882/5, THYCAUD,
THIRUVANANTHAPURAM, REPRESENTED BY ITS
GENERAL SECRETARY.

R1 BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 01/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 23446 OF 2007 -

Dated this the 1st day of August, 2007

J U D G M E N T

The petitioner is a member of the second respondent – Society under the Travancore-Cochin Literary, Scientific and Charitable Societies Registration Act, 1955 (for short 'the Act'). The petitioner along with another person have been removed from the membership of the society by Ext.P3. The petitioner filed Ext.P4 representation before the first respondent and seeks a direction to the first respondent to consider and dispose of Ext.P4.

2. I have heard learned counsel for the petitioner. The counsel for the petitioner could not satisfy me that there is any provision in the Act which empowers the first respondent to decide the question as to whether the removal of a member from membership of the society is valid or not.

3. In such circumstances, the remedy available to the petitioner is to file a suit challenging his removal from membership. Therefore, without prejudice to such right, the writ petition is dismissed.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007